

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL VASILIY KOLESNIK,

Plaintiff,

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ELDON VAIL et al.,

Defendants.

CASE NO. C12-5278 BHS-JRC

ORDER ON MOTIONS FOR EXTENSIONS OF TIME

The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States Magistrate Judge, J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and Magistrate Judge Rules MJR3 and MJR4.

Both parties have filed motions asking the Court for extensions of time. Plaintiff asks the Court to extend the time for filing a reply and asks the Court to consider a reply he filed regarding a motion to file a third amended complaint (ECF No. 58). The motion is GRANTED.

The Court has considered the reply and finds no reason to alter the Order denying plaintiff's motion to file a third amended complaint (ECF No. 52). This case is well over a year old. The Court initially ordered that discovery should end on November 2, 2012 (ECF No. 18).

1 Plaintiff waited until November 1, 2012 to sign his first motion to amend (ECF No. 22). The
2 Court allowed amendment (ECF No. 26). Further, the Court issued a new scheduling order and
3 gave the parties until April 26, 2013 to complete discovery (ECF No. 32). Plaintiff again signed
4 a motion to amend the complaint one day before discovery expired (ECF No. 52). The Court
5 denied the motion to file a third amended complaint (ECF No. 56). Plaintiff's objection to that
6 order is now pending before the District Court (ECF No. 59). For the reasons set forth in its
7 previous denial of the motion to amend, this Court again DENIES plaintiff's most recent motion
8 to amend (*See* ECF No. 56).

9 The parties have filed a stipulated motion to extend time for filing a reply to plaintiff's
10 motion to compel and to stay the dispositive motion deadline (ECF No. 61). The motion to
11 extend time is GRANTED. The Court orders that defendants' response to plaintiff's motion to
12 compel discovery will be due on or before **July 10, 2013**, plaintiff's reply will be due on or
13 before **July 19, 2013**. The Court directs that the Clerk's office moves the dispositive motion due
14 date to **September 27, 2013**.

15 Dated this 12th day of June, 2013.

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18 J. Richard Creatura
19 United States Magistrate Judge
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